



072667.0190
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wang et al.

Serial No. : 10/644,639 Examiner : Ulm, John D.

Filed : August 20, 2003 Group Art Unit : 1649

For : HELIOTHIS GLUTAMATE RECEPTOR

TERMINAL DISCLAIMER

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 15, 2005

Date of Deposit

Van H. Nguyen

Attorney Name

56,571

PTO Reg. No

December 15, 2005

Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Bayer Cropscience, the owner of the entire interest in U.S. Application Serial No. 10/644,639 filed on August 20, 2003 for "HELIOTHIS GLUTAMATE RECEPTOR," which is a divisional of U.S. Application Serial No. 09/969,844, filed October 3, 2001 now U.S. Patent 6,780,601, which is a divisional of U.S. Application Serial No. 09/592,891, filed June 13, 2000, now U.S. Patent No. 6,329,174, as evidenced by an assignment to Aventis Cropscience SA, recorded in the U.S. Patent and Trademark Office on September 13, 2001 at Reel/Frame No. 10644639 12/21/2005 SFELEKE1 000000070 024377 130.00 DA 01 FC:1014

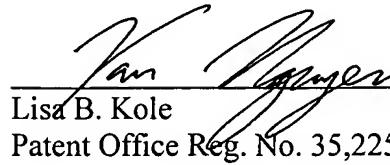
011092/0641, hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term, defined in 35 U.S.C. § 154 to 156 and 173, of commonly owned issued U.S. Patent No. 6,780,601. The owners hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and granted U.S. Patent No. 6,780,601 are commonly owned. This agreement shall run with any patent granted on the instant application and shall be binding upon the assignees, their successors, or assigns.

The undersigned is attorney of record and has the authority to execute this Terminal Disclaimer on behalf of Bayer Cropscience, and has reviewed the above-referenced assignments and hereby certifies that, to the best of my knowledge and belief, title is in the assignees on whose behalf this terminal disclaimer is being filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner is hereby authorized to charge Deposit Account Number 02-
4377.

Respectfully submitted,



Lisa B. Kole

Patent Office Reg. No. 35,225

Van H. Nguyen
Patent Office Reg. No. 56,571

Attorneys for Applicant
(212) 408-2500

Baker Botts L.L.P.
30 Rockefeller Plaza
New York NY 10112